



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson, City Clerk  
Date: September 3, 2010  
Subject: Retail Liquor Store License Renewal for Spirits, Inc. /DBA Moonshine Liquor

---

### **Recommendation**

Staff recommends approval of a retail liquor store license renewal for Spirits, Inc. /DBA Moonshine Liquor located at 268 Hwy 92. The Police Department's report and recommendation is attached.

### **Background**

The current liquor license expires September 6, 2010.

### **Cost**

There is no cost to the City to renew this license. The applicant has paid the \$227.50 renewal fee to the State, the City renewal fee of \$97.50 and the City liquor occupation tax of \$300.00.

### **Action to be Taken if Approved**

The Mayor and Clerk will sign the renewal application, and the Clerk will mail it to the State, who will review the application and issue the State license.

### **Suggested Motion**

I move to approve the retail liquor store license renewal for Spirits, Inc. /DBA Moonshine Liquor.

# LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION



SPIRITS INC  
 MOONSHINE LIQUOR  
 268 HIGHWAY 92  
 DELTA CO 81416-2044

License Number 25-43597-0000	License Type 1940
Liability Information 18 011 445310 C 090705	
Business Location  268 HIGHWAY 92 DELTA CO	
Current License Expires SEP 06, 2010	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- ☒ This renewal reflects no changes from the last application. Complete page 2 and file now!
- ☐ **Yes there are changes from the last application.** If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

**This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.**

OATH OF APPLICANT			
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.			
Authorized Signature <i>Doni Lackey</i>	Date 24 Aug 2010	Business Phone 874 4828	
Title President	Sales Tax Number 25-43597-0000		
REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY			
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. <b>THEREFORE THIS APPLICATION IS APPROVED.</b>			
Local Licensing Authority for			Date
Signature	Title	Attest	

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

# LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

21

Business Name MOONSHINE LIQUOR	LICENSE NUMBER (Use for all reference) 25-43597-0000		PERIOD 09-11
TYPE OF LICENSE ISSUED RETAIL LIQUOR STORE LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 1940-750(999) \$ 50.00	CITY 85% OAP 2180-100(999) \$ 127.50

SUB-TOTAL \$ 227.50  
 ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$ \_\_\_\_\_  
 TOTAL AMOUNT DUE \$ \_\_\_\_\_

## ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

This page must be completed and attached to your signed renewal application form.  
Failure to include this page with the application may result in your license not being renewed.

Trade Name of Establishment <u>Moonshine Liquors</u>		State License Number <u>25-43597-0000</u>	
1. Operating Manager <u>Toni Lackey</u>		Home Address <u>18595 Ward Creek Rd. Cedaredge</u>	
		Date of Birth <u>12/26/47</u>	
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <u>rented</u> If rented, expiration date of lease: <u>28 Feb 2012</u>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
7. <b>Corporation or Limited Liability Company (LLC) or Partnership applicants must answer these questions.</b> <b>Since the date of filing of the last annual license application:</b> (a) Are there, or have there been: any officers or directors; or managing members; or general partners added to or deleted from applicant for renewal of a 3.2 beer or liquor license? (b) Are there or have there been: any stockholders with 10% or more of the issued stock of the Corporation; or any members with 10% or more membership interest in the LLC; or any partners with 10% or more interest in the partnership added to or deleted from the applicant for renewal of a 3.2 beer or liquor license? (c) If Yes to (a) or (b), complete and attach Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, and all supporting documentation, and fees your Local Licensing Authority immediately.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
8. <b>Sole proprietorships, Husband-Wife Partnerships or Partners in General Partnerships:</b>  <b>EVIDENCE OF LAWFUL PRESENCE</b> Each person identified above must complete and sign the following affidavit. Please make additional copies if necessary. Each person must also provide a copy of their driver's license or state issued identification card.  In lieu of form DR 4679, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):  <input type="checkbox"/> I am a United States Citizen <input type="checkbox"/> I am not a United States Citizen but I am a Permanent Resident of the United States <input type="checkbox"/> I am not a United States Citizen but I am lawfully present in the United States pursuant to Federal Law <input type="checkbox"/> I am a foreign national not physically present in the United States  I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, or fraudulent statement or misrepresentation in this sworn affidavit is punishable under the criminal laws of Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.			
Signature <u>Toni Lackey</u>		Printed name <u>Toni Lackey</u>	
		Date <u>29 July 10</u>	



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

**LIQUOR LICENSE RENEWAL RECOMMENDATION**

To: City Council

Re: Application of Spirits, Inc.  
DBA: Moonshine Liquors

---

The report sheets show the following liquor violations for the past twelve months for the above named applicant:

**No liquor violations in the past twelve months.**

Remarks:

Police Department recommendation:

**Recommend liquor license renewal.**

---

Robert Thomas, Chief of Police